

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

NO. 4:14-CV-133-FL

BROADCAST MUSIC, INC.; ECAF
MUSIC; SONY/ATV SONGS LLC;
WARNER-TAMERLANE PUBLISHING
CORP.; SONG 6 MUSIC; and CONCORD
MUSIC GROUP, INC.,

Plaintiffs,

v.

MICKEY MILLIGAN'S, INC. d/b/a
MICKEY MILLIGAN'S BILLIARDS;
GERRY ALAN SHEPHERD; and SHERRY
M. SHEPHERD,

Defendants.

ORDER

This matter comes before the court on plaintiffs' motion for default judgment, filed October 28, 2014. (DE 21). Defendants have not responded. In this posture the issues raised are ripe for ruling.

Default having been entered, plaintiffs' Motion for Default Judgment against defendants Mickey Milligan's, Inc., Gerry Alan Shepherd and Sherry M. Shepherd is granted, this Court finding that Defendants knowingly and intentionally infringed upon the copyrights of four (4) musical compositions owned and/or licensed by Plaintiffs.

Plaintiffs shall recover from defendants Mickey Milligan's, Inc., Gerry Alan Shepherd and Sherry M. Shepherd, jointly and severally, statutory damages pursuant to 17 U.S.C. § 504(c)(1). Here, license fees totaling the sum of \$6,354.85 were due. The court finds that statutory damages

in an amount twice that of the cost of the licenses due serves the dual purposes of restitution and deterrence. Plaintiffs therefore shall recover the total sum of \$12,709.70.

Plaintiffs shall recover from Defendants Mickey Milligan's, Inc., Gerry Alan Shepherd and Sherry M. Shepherd, jointly and severally, full costs in this action, including reasonable attorney's fees, in the amount of \$3,250.00, pursuant to 17 U.S.C. § 505.

Plaintiffs shall recover from Defendants Mickey Milligan's, Inc., Gerry Alan Shepherd and Sherry M. Shepherd, jointly and severally, interest on the full amount of this judgment, from and after date of entry until paid in full, pursuant to 28 U.S.C. § 1961.

Defendants Mickey Milligan's, Inc., Gerry Alan Shepherd and Sherry M. Shepherd and their agents, servants, employees and all persons acting under their permission or authority shall be permanently enjoined and restrained from infringing, in any manner, the copyrighted musical compositions licensed by Broadcast Music, Inc.

The clerk is directed to close the file. This Court shall retain jurisdiction over this action for the purpose of enforcing the judgment granted.

SO ORDERED, this the 2nd day of December, 2014.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive, flowing style.

LOUISE W. FLANAGAN
United States District Judge